

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

THE TORO COMPANY,)	
a Delaware Corporation,)	
)	
Plaintiff,)	Civil Action No. 05-CV-1835 MJD/SRN
v.)	
)	
TEXTRON, INC.)	
a Delaware Corporation,)	
)	
JACOBSEN, A TEXTRON COMPANY,)	
a Division of Textron, Inc., and)	
)	
TEXTRON INNOVATIONS INC.,)	
a Delaware Corporation,)	
)	
Defendants.)	

ORDER TO DISMISS TEXTRON INNOVATIONS, INC

Upon stipulation of the parties, filed on November 1, 2005, it is hereby ordered that Defendant Textron innovations, Inc. ("TII"), along with Toro's declaratory judgment claims (Count III) and the equitable estoppel claim (Count IV) in the above-captioned matter, are dismissed without prejudice.

Dated: November 18, 2005

s/ Michael J. Davis
United States District Court Judge